Filed.

C 5-97 April 6. 18

TRANSCRIPT OF RECORD.

SUPREME COURT OF THE UNITED STATES.

No. ~~503.~~ 221

JOSEPH SWAN, PLAINTIFF IN ERROR,

vs.

CHESTER A. ARTHUR, COLLECTOR OF THE PORT OF NEW YORK.

IN ERROR TO THE CIRCUIT COURT OF THE UNITED STATES FOR THE SOUTHERN DISTRICT OF NEW YORK.

FILED OCTOBER 4, 1878.

SUPREME COURT OF THE UNITED STATES.

No. 503.

JOSEPH SWAN, PLAINTIFF IN ERROR,

vs.

CHESTER A. ARTHUR, COLLECTOR OF THE PORT OF NEW YORK.

IN ERROR TO THE CIRCUIT COURT OF THE UNITED STATES FOR THE SOUTHERN DISTRICT OF NEW YORK.

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1 UNITED STATES OF AMERICA, *ss:*

The President of the United States to the judges of the circuit court of the United States for the southern district of New York, greeting:

Because in the records and proceedings and also in the rendition of the judgment of a plea which is in the said circuit court before you, between Joseph Swan, plaintiff, and Chester A. Arthur, defendant, a manifest error hath happened to the great damage of the said plaintiff as by his complaint appears: We being willing that the error, if any hath been, should be duly corrected, and full and speedy justice done to the party aforesaid in this behalf, do command you, if judgment be therein given, that under your seal, distinctly and openly, you send the record and proceedings aforesaid, with all things concerning the same, to the Supreme Court of the United States, together with this writ, so that you may have the same at Washington on the second Monday of October, eighteen hundred and seventy-eight, in the said Supreme Court to be then and there held, that the record and proceedings aforesaid being inspected, the said Supreme Court may cause further to be done thereon to correct that error what of right and according to the laws and customs of the United States should be done.

Witness the honorable Morrison R. Waite, Chief Justice of the said Supreme Court, the 14th day of March, in the year of our Lord one thousand eight hundred and seventy-eight.

[SEAL.] JOHN I. DAVENPORT,
Clerk.

The foregoing writ is hereby allowed.
N. Y., March 14th, 1878.

SAM'L BLATCHFORD, *D. J.*

2 (Indorsed:) 2458. U. S. Supreme Court. Joseph Swan, plaintiff in error, against Chester A. Arthur, defendant in error. Writ of error. Stanley, Brown & Clarke, att'ys for pl'ff, &c., 195 B'way.

Due service of a copy of the within is hereby admitted.
N. Y., March 18, 1878.

STEWART L. WOODFORD,
U. S. Att'y.

UNITED STATES OF AMERICA,
Southern District of New York, ss:

I, John I. Davenport, clerk of the circuit court of the United States for the southern district of New York, in the second circuit, by virtue of the foregoing writ of error and in obedience thereto, do hereby certify that the following pages, numbered from three to thirty, inclusive, contain a true and complete transcript of the record and proceedings had in said court, in the case of Joseph Swan, plaintiff in error, against Chester A. Arthur, defendant in error, as the same remain of record and on file in said office.

In testimony whereof I have caused the seal of the said court to be hereunto affixed, at the city of New York, in the southern district of New York, in the second circuit, this 19 day of August, in the year of our Lord one thousand eight hundred and seventy-eight, and of the Independence of the said United States the one hundred and third.

[SEAL.] JOHN I. DAVENPORT,
Clerk.

3 Superior court of the city of New York.

JOSEPH SWAN, PLAINTIFF,
against
CHESTER A. ARTHUR, DEFENDANT.

To the defendant above named:

You are hereby summoned and required to answer the complaint in this action which will be filed in the office of the clerk of the superior court of the city of New York, at the court-house in said city, and to serve a copy of your answer to the said complaint on the subscribers, at their office, No. 16 Wall street, New York City, within twenty days after the service of this summons on you, exclusive of the day of such service; and if you fail to answer the said complaint within the time aforesaid, the plaintiff in this action will apply to the court for the relief demanded in the complaint.

Dated N. Y., May 29th, 1873.

STANLEY, BROWN & CLARKE,
Plaintiff's Attorneys, 16 *Wall st.*

4 (Endorsed:) 2458. N. Y. superior court. Joseph Swan vs. Chester A. Arthur. Summons. Stanley, Brown & Clarke, pl'ff's att'ys, 16 Wall st. To Chester A. Arthur, collector. Received June 2, 1873. U. S. attorney's office. Rec'd May 29, '73.

5 The President of the United States of America to the judges of the superior court of the city of New York, greeting:

We, for certain reasons, being desirous that our circuit court of the United States for the southern district of New York, in the second circuit, shall be certified of a certain cause commenced before you against Chester A. Arthur, defendant, by Joseph Swan, plaintiffs, do therefore command you that the record and proceedings in the said cause you distinctly and openly send to the said circuit court, at the city of New York, on the 6th day of October, 1873, as fully and amply as the same are remaining before you, by whatever names the said parties may be called therein, together with this writ, that our said court may cause to be further done thereupon what of right ought to be done.

Witness Nathan Clifford, associate justice of the Supreme Court of the United States, the 27th day of September, in the year one thousand eight hundred and seventy-three.

[L. S.] KENNETH G. WHITE,
Clerk.

GEO. BLISS,
Defendant's Attorney.

6 (Endorsed:) 2458. U. S. circuit court. Chester A. Arthur ads. Jos. Swan. Certiorari. Geo. Bliss, defendant's attorney.

SIR: Take notice that the within is a copy of a certiorari this day issued out of the circuit court of the United States for the southern district of New York.

New York, Sept. 27th, 1873.

Yours, &c.,

GEO. BLISS,
Defendant's Attorney.

Due service of a copy of the within and of the above notice is hereby admitted.

New York, Sept. 27th, 1873.

STANLEY, BROWN & CLARKE,
Plaintiff's Attorney.

7 THE UNITED STATES OF AMERICA:

Circuit court of the United States for the southern district of New York, in the second circuit, of the April term, in the year one thousand eight hundred and seventy-three.

JOSEPH SWAN
vs.
CHESTER A. ARTHUR.

Joseph Swan, plaintiff in this suit, come into court, and by Stanley, Brown & Clarke, his attorneys, give the court now here to be informed that heretofore, to wit, on the twenty-ninth day of May last past, this action was commenced in the superior court of the city of New York, according to the laws of the State of New York and the rules and practice of said court, in favor of the said plaintiffs against the defendant herein, upon the cause of action hereinafter set forth, and the summons therein filed with the clerk of said court. That the defendant afterwards, by his attorney, George Bliss, esquire, duly appeared in said action, and thereupon, on the sixth day of October, in the year one thousand eight hundred and seventy-three, the said action was duly removed, by writ of certiorari, for further prosecution into this court, according to the act of Congress in such case made and provided; and the clerk of the said court did thereupon return the said writ with the said summons, and duly file the same in this court, which allegations the defendant admits to be true.

8 Wherefore, let the further proceedings and trial in this action be continued in this court.

And the said plaintiff, by his said attorneys, complain of said defendant of a plea of trespass on the case for promises, for that, whereas said defendant, on the 29th day of May, eighteen hundred and seventy , at New York City, in the district aforesaid, was indebted to said plaintiff in the sum of one hundred dollars, lawful money of the United States of America, for duties on merchandise, to wit: Silk and cotton laces imported into and entered at the collection district of the United States for the city of New York, on or about the 1st day of January, 1873, and on divers other days thereafter, and until the 1st day of April, in the year one thousand eight hundred and seventy-three, in the following vessels, to wit: Calabria and divers others from Liverpool, unlawfully demanded, exacted, and received, at said New York City, by the said defendant, then collector of the customs for said district, under color of a law of the United States for the collection of duties on imports, and paid by the plaintiff under protest and appeal in due form of law. And being so indebted he, the said defendant, in consideration thereof, afterwards, to wit, on the same day and year last aforesaid, at the

9 place aforesaid, undertook and then and there faithfully promised the said plaintiff well and truly to pay unto the said plaintiffs the said sum of money, when he, said defendant, should be thereunto afterwards requested.

And whereas, also, the said defendant afterwards, to wit, on the same

day and year last aforesaid, at the place aforesaid, was indebted to the said plaintiff in the further sum of one thousand dollars, lawful money of the United States of America, for money before that time lent and advanced by said plaintiff to said defendant, and at the special instance and request of the said defendant, and for other money by the said plaintiff before that time paid, laid out, and expended for the said defendant, and at the like request of the said defendant, and for other money by the said defendant before that time had and received, to and for the use of the said plaintiff. And being so indebted the said defendant, in consideration thereof, afterwards, to wit, on the same day and year last aforesaid, and at the place aforesaid, undertook and then and there faithfully promised the said plaintiff well and truly to pay unto the said plaintiff the said sum of money in this count mentioned, when he should be thereunto afterwards requested.

Nevertheless said defendant (although often afterwards re-
10 quested so to do) has not paid said sums of money, or any or either of them, or any part thereof to the said plaintiff, but to pay the same or any part thereof to the said plaintiff has hitherto refused and still does refuse, to the damage of the said plaintiff of one thousand dollars, and therefore the said plaintiff brings suit, &c.

STANLEY, BROWN & CLARKE,
Attorneys for the Plaintiff.

(Endorsed:) U. S. circuit court. Joseph Swan vs. Chester A. Arthur. Declaration.

To GEO. BLISS, Esq.,
Deft's Atty.

SIR: Please take notice that a rule has been entered in the book of common rules, in the office of the clerk of this court, at the city of New York, requiring the defendant to plead to the declaration in twenty days after service of a copy thereof, and notice of said rule on his attorney, or judgment, &c.

New York, October 7, 1873.

STANLEY, BROWN & CLARKE,
Attorneys for Plaintiffs, 16 Wall Street.

Received Oct. 8, 1873. U. S. attorney's office.

11 *Bill of particulars.*

Superior court, city of New York.

JOSEPH SWAN
against
CHESTER A. ARTHUR, COLLECTOR OF THE customs of the United States at the port of New York.

SIR: Please to take notice that the following is the bill of particulars of items of the plaintiff's demand in the above entitled action, to wit: Moneys exacted by compulsion and duress, and under color of the revenue laws of the United States, by the defendant, as collector, as aforesaid, from and paid by the plaintiffs on merchandise imported by the plaintiffs, as per schedule hereto annexed, with legal interest on said amount from the date of payment thereof, as aforesaid.

Dated New York, July 2nd, 1873.

Yours, &c., STANLEY, BROWN & CLARKE.
Plaintiff's Attorneys, No. 16 Wall Street, New York.

To GEORGE BLISS, Esq.,
Defendant's Attorney.

Schedule.

IMPORTER, JOSEPH SWAN.

Description of merchandise.	Place from whence imported.	Name of vessel.	Date of invoice.	Date of entry at custom-house.	Amount of duty paid in excess.
4586 6477 silk & cotton laces	Liverpool.	Calabria.	Dec. 31, 1872.	Jan. 22, 1873.	14 40

Description of merchandise.	Date of payment of duty.	Date of filing protest.	Date of appeal to the Secretary of the Treasury.	Date of answer of the Secretary of the Treasury.
4586 6477 silk & cotton laces	Jan. 22, 1873.	Jan. 19 & 22, 1873.	Jan. 19 & 22, 1873.	Feb. 28, 1873.

(Endorsed:) 2458. N. Y. superior court. Joseph Swan against Chester A. Arthur, collector of the customs of the United States at the port of New York. Bill of particulars. Stanley, Brown & Clarke, attorneys for plaintiff, No. 16 Wall street, N. Y. To George Bliss, esq., def't's atty. Received Jul. 2, 1873, U. S. attorney's office.

12 *Plea.*

United States circuit court, southern district of New York.

CHESTER A. ARTHUR
ads.
JOSEPH SWAN.

And the said defendant, Chester A. Arthur, by George Bliss, his attorney, comes and defends the wrong and injury, when, &c., and says that he did not undertake and promise, in manner and form as the said plaintiff in this suit hath above thereof declared against the said defendant, and of this he puts himself upon the country; and the said plaintiff doth the like, &c.

GEO. BLISS,
Defendant's Attorney.

To STANLEY, BROWN & CLARKE, Esqs.,
Plaintiff's Attorneys.

(Endorsed:) 2458. U. S. circuit court. C. A. Arthur ads. Joseph Swan. Plea.

GEO. BLISS,
Attorney for Defendant:

Due service of a copy of the within is hereby admitted.
New York, Oct. 23, 1873.

STANLEY, BROWN & CLARKE,
Plff's Att'ys.

You will please take notice that the plea of the defendant in the above cause, of which the within is a copy, was this day filed in the

office of the clerk of the U. S. circuit court for the southern dis-
13 trict of New York.
New York, Oct. 23, 1873.
Yours, &c.,

GEORGE BLISS,
Defendant's Attorney.

To STANLEY, BROWN & CLARKE, Esq.,
Plaintiff's Attorneys.

14 At a stated term of the circuit court of the United States of America for the southern district of New York, in the second circuit, held at the United States court rooms in the city of New York, on Tuesday, the sixteenth day of October, in the year of our Lord one thousand eight hundred and seventy-seven.

Present, the honorable Judge Shipman, circuit judge.

JOSEPH SWAN
vs. } 2458.
CHESTER A. ARTHUR.

On motion of S. G. Clarke, esqr., of counsel for the plaintiff, ordered trial.

Jurors sworn: John Jackson, Geo. F. Valentine, Joseph W. Duryea, David B. Keeler, Thomas Cable, Herman Nordlinger, Richard Irvin, jr., Chas. Althof, J. A. Monheimer, Chas. Fowler, Jas. H. Davidson, Jas. B. Newton.

Mr. Clarke opens the cause on the part of the plaintiff.

Evidence for the plaintiff: Plaintiff's entries, invoices, and protest.

Thomas W. Gibson sworn.

Plaintiff rests.

Defendant rests and offers no evidence.

15 Assistant U. S. Attorney Henry E. Tremain, of counsel for the defendant, moves that the court either direct the jury to find a verdict for the defendant or order the complaint to be dismissed.

Mr. Clarke moves that the court direct the jury to find a verdict for the plaintiff.

The court directs the jury to find a verdict for the defendant, and the jury say that, by direction of the court, they find a verdict for the defendant, and so say they all.

Mr. Clarke excepts to the ruling of the court in directing the jury to find as aforesaid.

On motion of Mr. Clarke, ordered, that plaintiff have a stay of thirty days in which to make and prepare a case, with leave to turn the same into a bill of exceptions.

16 *Judgment.*

United States circuit court, southern district of New York.

JOSEPH SWAN
vs. }
C. A. ARTHUR.

The issues in this action having been brought on for trial before Mr. Judge Shipman and a jury at a circuit court of the October term, 1877, and the issues having been tried, and a verdict for the defendant hav-

ing been duly rendered on the sixteenth day of October, 1877, and his costs having been adjusted at $48.97.

Now, on motion of Stewart L. Woodford, United States attorney, for defendant, it is adjudged that the defendant have judgment against the plaintiff upon the issues in this action, and that he recover the sum of $48.97, his taxed costs, and have execution therefor.

Judgment signed this 15 day of Jan'y, 1878.

J. M. DEUEL,
Dep. Clerk.

17 (Indorsed.) 2458. United States circuit court. Joseph Swan vs. C. A. Arthur. Judgment roll. Stewart L. Woodford, United States attorney, for defendant. Filed , 187 . Costs, $48.97. U. S. circuit court. Filed Jan. 15, 1878. John I. Davenport, clerk.

18 *Bill of exceptions.*

Circuit court of the United States for the southern district of New York, in the second circuit.

JOSEPH SWAN
vs.
CHESTER A. ARTHUR.

Afterwards, to wit, on the 16th day of October, 1877, at a stated term of this court, begun and holden at the city of New York, to wit, on the third Monday of October, 1877, before the honorable Nathaniel Shipman, district judge of the United States for the State of Connecticut, appointed to hold the said circuit court, according to the form of the statute in such case made and provided, the aforesaid issue so joined as between the said parties as aforesaid, as by the record more fully appears, came on to be tried by a jury duly empanneled and sworn for that purpose, the said plaintiff being represented by Stephen G. Clarke, esq., and the said defendant by H. E. Tremain, esq.

And in the course of the trial the said counsel for the plaintiff did take and allege sundry exceptions to the rulings and charge of the court and to the refusal of the court to give certain instructions to the jury as then and there prayed for by them, which said exceptions are hereinafter severally set forth.

To maintain the said issues on the part of the plaintiff, counsel for the said plaintiff produced invoice, entry, and protest, and proved
19 the importation of the goods in question, and the payment of duty at the rate of sixty per cent. ad valorem.

The substantive part of said protest was as follows:

Claiming that under existing laws said goods are only liable to a duty of fifty per cent. ad valorem, because said goods are manufactured partly of silk and partly of cotton, and are provided for at that rate in the last clause of section 8 of the act of June 30, 1864.

Plaintiff then called a witness, who, being sworn, testified to facts constituting him an expert, and being examined by counsel for plaintiff, further testified, as follows:

Q. I call your attention to invoice by the Calabria, dated December 31, 1872, and to the goods there indicated, and ask you what are those articles?

A. Laces.

Q. Of what material are they composed?
A. Silk and cotton.
Q. Which material is of chief value?
A. Silk.

And being cross-examined by counsel for defendant, was asked:
Q. Are they substantially of silk?
(Objected to by plaintiff's counsel, upon the ground that as the goods contain cotton, the amount of cotton is immaterial, unless it is proposed to be shown by defendant that commercially the goods in question are known as silk laces, and an answer to the question does not
20 tend to establish that fact. No objection is made to the form of the question. Defendant insists he has a right to the fact called for by the question. Question admitted and plaintiff excepts.)
A. They are.

It appeared from the invoice that the appraiser classified the goods in question as "laces."

No question being made as to regularity of protest, appeal, and decision, plaintiff rested.

No testimony was offered in behalf of the defendant.

Plaintiff's counsel requested the court to charge the jury that upon the undisputed facts in the case, plaintiff was entitled to recover, and the court refusing so to instruct the jury, plaintiff's counsel duly excepted thereto.

Thereupon, there being no disputed question of fact in the case, the court instructed the jury to find a verdict for the defendant, to which instruction counsel for plaintiff then and there duly excepted.

And because none of the said exceptions so offered and made to the opinion, instructions, and decisions of the court do appear upon the record of the said trial, therefore, on the prayer of the said plaintiff, by his counsel, the said judge has to this bill of exceptions put his hand and seal, as of the 16th day of October, 1877.

[L. S.] N. SHIPMAN, *Judge.*

21 (Endorsed:) 2458. U. S. circuit court, so. dist. of N. Y. Joseph Swan, plaintiff, against Chester A. Arthur, defendant. Bill of exceptions. Stanley, Brown & Clarke, attorneys for pl'ff, 195 Broadway, New York. U. S. circuit court. Filed Dec. 12, 1877. John I. Davenport, clerk.

22 *Bond for costs.*

Circuit court of the United States of America for the southern district of New York, in the second circuit.

JOSEPH SWAN, PLAINTIFF,
vs.
CHESTER A. ARTHUR, DEF'T.

Know all men by these presents that we, Julius Birge, of No. 44 Exchange Place, in the city of New York, and William M. Waterbury, jr., of the same place, are held and firmly bound unto the above-named Chester A. Arthur in the sum of two hundred and fifty dollars, to be paid to the said Chester A. Arthur, for the payment of which well and truly to be made we bind ourselves, and each of us, our, and each of our, heirs, executors, and administrators, jointly and severally, firmly by these presents. Sealed with our seals, and dated the day of ,

in the year of our Lord one thousand eight hundred and seventy-eight.

Whereas the above-named plaintiff hath prosecuted a writ of error to the Supreme Court of the United States to reverse the judgment rendered in the above-entitled suit by the judge of the circuit court of the United States for the southern district of New York:

Now, therefore, the condition of this obligation is such that if the above-named plaintiff shall prosecute said writ of error to effect and answer all damages and costs if he shall fail to make said writ of error good, then this obligation shall be void; otherwise the same shall be and remain in full force and virtue.

JULIUS BIRGE, [L. S.]
44 *Exchange Place, N. Y.*
W. M. WATERBURY, JR., [L. S.]
44 *Exchange Place, New York.*

Sealed and delivered and taken and acknowledged this 12th day of March, 1878, before me.

MELVIN BROWN,
Notary Public N. Y. City & Co.

23 UNITED STATES OF AMERICA,
Southern District of New York, ss:

Julius Birge and William M. Waterbury, jr., severally being duly sworn, doth depose and say, each for himself, that he is worth the sum of five hundred dollars over and above all his just debts and liabilities.

JULIUS BIRGE.
W. M. WATERBURY, JR.

Sworn to this 12th day of March, A. D. 1878, before me.

MELVIN BROWN,
Notary Public N. Y. City & Co.

(Indorsed:) Vol. , page . U. S. circuit court. Joseph Swan vs. Chester A. Arthur. Bond for damages, costs on writ of error. Stanley, Brown & Clarke, att'ys for pl'ff, 195 Broadway. Approved March 14, 1878. Sam'l Blatchford. Filed this 16 day of M'ch, 1878.

24 Supreme Court of the United States. Of October term, in the year of our Lord one thousand eight hundred and seventy-eight.

JOSEPH SWAN, PLAINTIFF IN ERROR,
vs.
CHESTER A. ARTHUR, DEF'T IN ERROR.

Afterwards, to wit, on the second Monday of October, in this same term, before the justices of the Supreme Court of the United States, at the Capitol in the city of Washington, comes the said Joseph Swan, by Stanley, Brown & Clark, his attorneys, and says that in the record and proceedings aforesaid there is manifest error, in this, to wit, in the several rulings of the court upon the rejection or admission of testimony to which exception has been taken; also, that there was error in the refusal of the court to direct a verdict for the plaintiff in error as
25 therein prayed for; also, that there was error in the ruling of the court that there was no question of fact to go to the jury, and in the direction of the court to the jury that the defendant was entitled to a verdict; also, in that judgment was given for the defendant in error against the plaintiff in error, whereas by the law of the land judgment

ought to have been given for the plaintiff in error against the defendant in error.

And the said plaintiff in error prays that the judgment aforesaid may be reversed, annulled, and altogether held for nought, and that he may be restored to all things which he has lost by occasion of the said judgment.

STANLEY, BROWN & CLARK,
Att'ys for Pl'ff in Error.

(Endorsed:) 2458. U. S. Supreme Court. Joseph Swan, plaintiff in error, against Chester A. Arthur, defendant in error. Assignment of errors. Stanley, Brown & Clark, attorneys for pl'ff in error, 195
26 Broadway, New York. U. S. circuit court. Filed August 16, 1878. John I. Davenport, clerk.

27 *Joinder in error.*

Supreme court of the United States. Of October term, in the year of our Lord one thousand eight hundred and seventy-eight.

JOSEPH SWAN, PLAINTIFF IN ERROR,
vs.
CHESTER A. ARTHUR, DEFENDANT IN ERROR.

And afterwards, to wit, on the second Monday of October, 1878, the said Chester A. Arthur, defendant in error, by Stewart L. Woodford, his attorney, comes here into court and says that there is no error either in the record or proceedings aforesaid, or in the giving of the judgment aforesaid. And he prays that the said Supreme Court, before the justices thereof now here, may proceed to examine as well the record
28 and proceedings aforesaid as the matters aforesaid above assigned for error, and that the judgment aforesaid, in form aforesaid given, may be in all things affirmed.

STEWART L. WOODFORD,
Attorney for Defendant in Error.

(Endorsed:) U. S. Supreme Court. Joseph Swan, pl'ff in error, v. Chester A. Arthur, defendant in error. Joinder in error. Stewart L. Woodford, U. S. att'y & att'y for def't in error. U. S. circuit court. Filed August 17, 1878. John I. Davenport, clerk.

29 UNITED STATES OF AMERICA, *ss:*

To Chester A. Arthur, greeting:

You are hereby cited and admonished to be and appear at a Supreme Court of the United States, to be holden at Washington, on the second Monday of October, eighteen hundred and seventy-eight, pursuant to a writ of error, filed in the clerk's office of the circuit court of the United States for the southern district of New York, wherein Joseph Swan is plaintiff in error, and you are defendant in error, to show cause, if any there be, why the judgment in the said writ of error mentioned should not be corrected, and speedy justice should not be done to the parties in that behalf.

Dated New York, March 14th, 1878.

SAM'L BLATCHFORD.

30 (Indorsed:) 2458. U. S. Supreme Court. Joseph Swan, plaintiff in error, against Chester A. Arthur, defendant in error. Original

citation. Stanley, Brown & Clarke, att'ys for pl'ff, 195 B'way. U. S. circuit court. Filed Mar. 18, 1878. John I. Davenport, clerk.

Due service of a copy of the within is hereby admitted.
N. Y., March 18, 1878.

STEWART L. WOODFORD,
U. S. Att'y.

(Indorsement on cover:) No. 503. Joseph Swan, plaintiff in error, vs. Chester A. Arthur, collector of the port of New York. S. New York C. C. U. S. Filed 4th October, 1878.